

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Duff et al.

Serial No.: 09/037,472

Filed: March 10, 1998

For: *Detecting Genetic Predisposition to Sight-Threatening Diabetic Retinopathy*

Examiner: Myers, C.

Group Art Unit: 1655

Attorney Docket No.: MSA-008.01

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**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box After Final, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

January 28, 2002  
Date of Signature and of Mail Deposit

By: Kristen Willett

**NOTICE OF APPEAL TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated July 27, 2001 finally rejecting Claims 1 - 12.

The item(s) checked below are appropriate:

1. [XX] A check for \$160.00 to cover the Appeal fee [X] is enclosed or [ ] is to be charged to Deposit Account No. 06-1448.
2. [XX] A Petition for Three-Month Extension of Time to further extend the period for response is enclosed.
3. [XX] A check for \$460.00 to cover the extension fee is enclosed.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 06-1448.

Respectfully submitted,

By:   
James T. Olesen, Ph.D.  
Reg. No. 46,967  
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Dated: January 28, 2002



**FOLEY  
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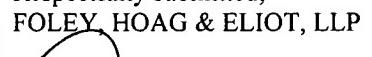
Re: U.S. Patent Application Serial No. 09/037,472  
Entitled: *Detecting Genetic Predisposition to Sight Threatening Diabetic Retinopathy*  
Filed: March 10, 1998; By: Duff et al.  
Group Art Unit: 1655; Examiner: Myers, C.  
Atty Ref No: MSA-008.01

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. Notice of Appeal to the Board of Patent Appeals and Interferences under 37 C.F.R. § 1.116;
  2. Check in the amount \$160.00 for Notice of Appeal;
  3. Petition for Three-Month Extension of Time;
  4. Check in the amount of \$460.00 for Extension of Time; and
  5. Return Receipt Postcard.

The Commissioner is authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

<p><b>Certificate of First Class Mailing</b></p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box After Final, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below:</p> <p><u>January 28, 2002</u></p> <p>Date</p>	<p>Respectfully submitted,  <b>FOLEY, HOAG &amp; ELIOT, LLP</b></p>  <hr/> <p>James T. Olesen, Ph.D.  Reg. No. 46,967  Agent for Applicants  Customer ID No. 25181</p>
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